

Appellate Docket No.: 05-19-01492-CR Appellate Case Style: Andrew Anderson v. State of Texas	
<b>FIFTH DISTRICT COURT OF APPEALS</b> <b>CRIMINAL APPEAL - DOCKETING STATEMENT</b>	
FILED IN 5th COURT OF APPEALS DALLAS, TEXAS 12/10/2019 4:25:05 PM LISA MATZ Clerk	
<b>PARTIES (TRAP 32.2(a)):</b>	
Appellant: Andrew Anderson	Appellee:  State of Texas
Attorney (Lead Counsel):  Christian T. Souza  Appointed <input checked="" type="checkbox"/> Retained	Attorney (Lead Counsel):  John Creuzot
Address (Lead Counsel):  Public Defender's Office 133 N. Riverfront Blvd Dallas, TX 75207	Address (Lead Counsel):  District Attorney's Office 133 N. Riverfront Blvd Dallas, TX 75207
Telephone: 214-653-3550	Telephone: 214-653-3600
Fax: 214-653-3539	Fax: 214-653-5774
Email: Christian.souza@dallascounty.org	Email: dcdaappeals@dallascounty.org
SBN (Lead Counsel): 00785414	SBN (Lead Counsel): 05069200
If not represented by counsel, provide appellant's/appellee's address, telephone number, fax number and email address: N/A.	
<b>PERFECTION OF APPEAL (TRAP 32.2(b),(d),(f)-(k)):</b>	
Date Sentence Imposed or Suspended in Open Court or Appealable Order Signed:  10/7/19	Date Notice of Appeal Filed: <b>12/02/2019</b>  If Mailed, <b>Date Mailed: 11/4/2019</b>  Attach File-Stamped Copy of Notice. See attached.

<b>ACTIONS EXTENDING TIME TO PERFECT APPEAL (TRAP 32.2(e)):</b>	
Mt. for New Trial: Yes [ ] No [ x ]	Date Filed:
Mt.in Arrest of Judgment: Yes [ ] No [x ]	Date Filed:
Other (Specify):	Date Filed:
<b>TRIAL AND APPEAL (TRAP 32.2(f)-(k)):</b>	
Offense Charged: Ag Assault DW  Date of Offense: 3/5/19  Defendant's Plea: Guilty  If guilty or nolo contendere, was plea result of negotiated plea bargain agreement?  Was the trial jury or nonjury? - Revocation  Punishment Assessed: 5 years TDCJ, with no fine.	Is the appeal from a pretrial order?  Yes [ ] No [ x]  Does the appeal involve the validity of a statute, rule, or ordinance?  Yes [ ] No [x ]  If yes, specify.
<b>TRIAL COURT AND RECORD (TRAP 32.2(c), (l), (m)):</b>	
Court: 265th Judicial District Court	T.Ct. Cause No. F19-52721
Trial Judge (Who Tried or Disposed of Case):  Hon. Jennifer Bennett 265th Judicial District Court Frank Crowley Courts Building 133 N. Riverfront Boulevard Dallas, TX 75207  Telephone No.: 214-653-5922 Fax: (214) 712-3080	Court Clerk (District or County Clerk):  Felicia Pitre, District Clerk 133 N. Riverfront Blvd Dallas, Texas 75207  Telephone No.: 214-712-3088 Fax: Unknown

Clerk's Record	Fee Paid: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Arrangements Made to Pay Fee: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> * *Indigent
<p>Court Reporter(s) or Court Recorder(s):</p> <p>Georgina Ware, CSR          Official Court Reporter          265th Judicial District Court          133 N. Riverfront Blvd.          Dallas, Texas 75207          Tel. (214) 653-5843          Fax: (214) 653-5846          wareg84@yahoo.com          Georgina.Ware@dallascounty.org</p> <p>Laura Rodriguez          Official Court Reporter          Auxiliary Court          133 N. Riverfront Blvd.          Dallas, Texas 75207</p>	
<p>Reporter's/Recorder's Record (Check If Electronic Recording <input type="checkbox"/> )</p> <p>Number and Date(s) of Hearing(s):</p> <p>10/7/19          7/25/19</p>	<p>Date Requested: 12/10/19</p> <p>Fee Paid: Yes: <input type="checkbox"/> No: <input type="checkbox"/>*</p> <p>Arrangements Made to Pay Fee:          Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>*Defendant Indigent</p>

<b>INDIGENCY OF PARTY (TRAP 32.1(k)):</b>		
Event	Filed Check as Appropriate	Date
Motion and Affidavit Filed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	12/2/19
Date of Hearing: None		
Ruling on Motion: Granted <input checked="" type="checkbox"/> Denied <input type="checkbox"/>		
<b>OTHER INFORMATION (TRAP 32.2(m)):</b>		
List any other pending related appeals before this or any other Texas appellate court by Court, Docket Number, and Style:		

**NOTE:** If inadequate space has been provided for the information requested, please provide the additional information on an attachment.

**I CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, ALL OF THE ABOVE INFORMATION IS TRUE AND CORRECT.**

/s/ Christian T. Souza

\_\_\_\_\_  
Lead Counsel/Pro Se Party

\_\_\_\_\_  
Date 12/10/19

Representing: Appellant

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Docketing Statement was served, on all parties/attorneys of record listed below (provide name and address of each person served and if person served is party's attorney, list name of party attorney represents) by: e-mail to dcdaappeals@dallascounty.org *See* TRAP 9.5(b).

/s/ Christian T. Souza

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Lead Counsel/Pro Se Party

Judgment / sentence date  
Motion for new trial filed

No ☐ Yes ☐ Date \_\_\_\_\_

Deputy District Clerk

THE STATE OF TEXAS

FILED IN  
5th COURT OF APPEALS  
DALLAS, TEXAS

12/5/2019 8:37:06 AM

CAUSE NO. F / LISA MATZ

Clerk

VS.

JUDICIAL 265th DISTRICT COURT

DALLAS COUNTY, TEXAS

## DEFENDANT'S NOTICE OF APPEAL AND PAUPER OATH APPOINTMENT OF ATTORNEY ON APPEAL

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now Defendant in the above cause and states: I am the defendant in the above cause; I was convicted in this cause and now give Notice of Appeal to the Texas Court of Appeals for the Fifth Supreme Judicial District of Texas of Dallas, Texas, and that I am penniless, destitute and indigent person, too poor to employ counsel to represent me on the appeal, and too poor to pay for or give security for the Statement of Facts and a true copy thereof herein. WHEREFORE, I pray that the Court will appoint an attorney to represent me in this appeal and that the Court will order the Court Reporter of this Court to prepare and deliver me or my appointed Counsel the original and a true copy of the Statement of Facts in this case, together with all exhibits attached thereto if practical.

*See letter postmarked 11/4/19*  
Defendant

BEFORE ME, the undersigned authority, personally appeared the above Defendant, known to me to be the person whose signature appears above, and after being duly sworn on oath states that he is the defendant in the above cause, and that the matters and things set forth in the foregoing are true and correct in all things.

Felicia Pitre  
District Clerk  
Dallas County, Texas

By

Deputy District Clerk

### ORDER

The Defendant having requested the Court to appoint Counsel, it is Ordered the Honorable

*Public Def Appeal* Address: \_\_\_\_\_

a regular licensed and practicing attorney of Texas, be, and he/she is hereby appointed to represent Defendant in prosecuting his/her appeal herein, and it is further Ordered that the Court Reporter is hereby directed to transcribe all of the notes as same may appertain to his cause and as taken during the trial of this cause which began on \_\_\_\_\_ and make Statement of Facts in duplicate and furnish same to defendant or his appointed Counsel.

*[Signature]*  
Judge

10-7-19 5pm.

I Andrew Anderson #19044645  
I want to appeal the court  
decision in my case. I don't  
agree with it I was lied to  
and played with and now I  
would like to ~~appeal~~ appeal my  
case now my case # F19-5272  
in court #265 please help me  
do that.

19044645  
F19-5272  
265

Andrew Anderson  
#19044645  
P.O. Box 660334  
Dallas TX 75224



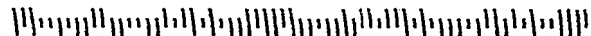
U.S. POSTAGE >> PITNEY BOWES



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Dallas County Court # 265  
133 N Riverfront blvd  
Dallas TX 75207

75207\$4300 C040



**Certification of Defendant's Right of Appeal**

No. F19-52721

The State of Texas

In the CRIMINAL Court

v.

ANDREW ANDERSON  
Defendant

of #265

Dallas County, Texas

19 OCT -7 AM 10:05  
FEDERAL DISTRICT COURT  
DALLAS COUNTY  
CLERK

**TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL**

I certify that this criminal case:

- ☒ is not a plea-bargain case, and the defendant has the right of appeal;
- ☐ is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial and not withdrawn or waived, and the defendant has the right of appeal;
- ☐ is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal;
- ☐ is a plea-bargain case, and the defendant has NO right of appeal;
- ☐ the defendant has waived the right of appeal.

Judge

Date Signed

10/7/2019

I have received a copy of this certification. I have also been informed of my rights concerning any appeal of this criminal case, including any right to file a *pro se* petition for discretionary review pursuant to Rule 68 of the Texas Rules of Appellate Procedure. I have been admonished that my attorney must mail a copy of the court of appeals' judgment and opinion to my last known address and that I have only 30 days in which to file a *pro se* petition for discretionary review in the Court of Criminal Appeals. TEX. R. APP. P. 68.2, 68.3. I acknowledge that, if I wish to appeal this case and if I am entitled to do so, it is my duty to inform my appellate attorney, by written communication, of any change in the address at which I am currently living or any change in my current prison unit. I understand that, because of appellate deadlines, if I fail to timely inform my appellate attorney of any change in my address, I may lose the opportunity to file a *pro se* petition for discretionary review.

Defendant

Defendant's Counsel

Mailing address: 2913 Bryan Brook Dr

State Bar of Texas ID number: 13329500

Seagrville, TX

Mailing address: P.O. Box 132691

Telephone number: 469-650-729

DALLAS, TEXAS 75313

Email Address (if any):

Telephone number: (972) 496-4872

Email Address: hivammcbeth@hotmail.com

\* See TEX. R. APP. P. 25.2(a)(2).